

#37
1-20-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Chaganti, et al.

S.No. 09/478,796	ART UNIT: 2132
FILED: JANUARY 7, 2000	EXAMINER: JUSTIN T. DARROW
TITLE: ONLINE REPOSITORY FOR PERSONAL INFORMATION	DOCKET NO: PSCO-005

Petition for Extension of Time by Two Months

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

Applicant hereby petitions for an extension of time by two months, up to and including December 12, 2003. A fee of \$210 under 37 C.F.R. § 1.17(a)(2) (Fee Code 1252/2252) is enclosed via a Credit Card Authorization Form. This late fee was necessitated not due to the delay by the Applicants, but by the non-delivery of the papers by the U.S. Postal Service and the PTO's sending the papers to incorrect address.

Applicants hereby report that the office action was never delivered to them; rather on or about November 6, 2003, Applicant Chaganti voluntarily called the Examiner to find the status of the application, which was to have been allowed by then. It turns out that on or about June 14, 2003, another office action rejecting most of the claims was mailed, but to the Kendall Avenue, Palo Alto, CA address. Apparently when the U.S. Post Office returned that office action to the PTO, the PTO sent another office action on or about July 12, 2003 to the Sheridan Avenue, Palo Alto, CA address. By then Applicant Chaganti has provided a change of address with the U.S. Postal Service the Los Angeles, CA address, and he never received the July 12, 2003 office action. Applicant also filed his change of address associated with his Customer Number 24490 and with the Office of Enrollment and Discipline based on his registration with the USPTO.

After numerous conversations with the PTO Customer Service and Examiner Darrow, Applicant could not receive a copy of the office action in time to meet the

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deadline for filing late by one month. On or about November 14, 2003, Applicant Chaganti, unable to reach Examiner Darrow, left a voice mail message to the Supervisory Examiner, Mr. Gilberto Barrón, Jr., requesting him to assist in sending a copy of the office action by fax. About a week later, on 11/18/2003, Examiner Darrow sent the office action via fax. Applicant thanks Examiners Barrón and Darrow for the courtesy. But the issue of whether the late-filing fee is to be paid in view of the confusion with the mailing is still unresolved. Because Applicants the delay was not due to Applicants' error, they hereby request the PTO refund the petition fee for extension of time, and consider the instant filing as timely filed.

Respectfully submitted,

Respectfully submitted,

By: 
Naren Chaganti (44,602)
432 S. Curson Ave, Ste. 12 H
Los Angeles, CA 90036
naren@chaganti.com E-mail
(650) 248-7011 phone

Attorney for Applicants

Certificate of Faxing

I certify that on the date shown below the foregoing was faxed to (703) 746-7239.

Date: December 12, 2003

By: 
Naren Chaganti (44,602)